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AUG 29 2006

Amendment and Response

Applicant: Savin Navin Chheda et al.

Serial No.: 10/684,768

Filed: October 14, 2003

Docket No.: 200308767-1 (H300.218.101)

Title: SERVER CARD POWER SWITCH

REMARKS

The following remarks are made in response to the Office Action mailed June 1, 2006. In the Office Action, claims 19-20 were allowed, claims 3-8, 11, and 14-18 were objected to, and claims 1-2, 9-10, and 12-13 were rejected. With this Response, claims 1-6 and 13-20 have been amended and new claims 21-28 have been added. Accordingly, claims 1-28 are pending in the application and are presented for consideration and allowance.

Claim Rejections under 35 U.S.C. § 103

In the Office Action, claims 1-2 and 12-13 were rejected as being unpatentable over Humpherys et al U.S. Patent 6,226,699 (the Humpherys Patent) in view of Wierzbicki et al U.S. Patent 6,789,206 (the Wierzbicki Patent).

Applicants' amended independent claim 1 claims a server.

As admitted in the Office Action (regarding claims 1 and 13), the Humpherys Patent fails to disclose a server card. In addition, the Humpherys Patent fails to disclose a server card comprising at least one of a brick server and a blade server, as recited in Applicant's amended independent claim 1.

The Wierzbicki Patent fails to cure these deficiencies of the Humpherys Patent regarding Applicants amended independent claim 1. The Wierzbicki Patent discloses a compute element 11 slidably disposed in a stacked relationship in rack console 31 (see the Wierzbicki Patent at Figures 1-2, and Column 6, lines 16-21). Each compute element has a size of 2U, 1U or 4U, which refers to the standard dimensions of rack servers, i.e., servers that fit in a rack (See the Wierzbicki Patent at Column 5, lines 63-67 and Column 6, lines 1-3. In addition, each compute element 11 includes elements (e.g., multiple fan assemblies 51 -- see the Wierzbicki Patent at Column 7, lines 6-18) typically found on rack servers.

In contrast, Applicant's claim 1 includes claim limitations of a server card comprising a brick server or a blade server, which is understood to those skilled in the art to be distinct from a rack server. As noted in the specification, the blade server or brick server generally omits cooling units or power supplies to allow the server card to have a low profile and thereby permit more convenient insertion and removal (in comparison to a more cumbersome

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rack server). More importantly, the low profile size and shape of the server card (as a blade server or brick server) enables a significantly higher computing density with a number of server cards fitting within the same space occupied by a single conventional rack server. In layman's terms, a single rack server can be replaced by multiple server cards (e.g. 5 to 15 as non-limiting numerical example). Accordingly, the Wierzbicki Patent does not disclose a server card as a blade server or a brick server, as recited in Applicant's amended independent claim 1.

The Humpherys Patent also fails to indicate how one would employ the server 10 and remote console in the Humpherys Patent as a server card (such as blade server or brick server) and the Wierzbicki Patent fails to disclose a suggestion or motivation to modify its bulky compute element 11 in chassis 13 to become a server card with an electronic switching mechanism, as in the manner recited in Applicant's claim 1.

Accordingly, one cannot combine the Humpherys Patent and the Wierzbicki Patent and arrive at Applicants amended independent claim 1.

For these reasons, the Humpherys Patent and the Wierzbicki Patent, alone or in combination, fail to teach or suggest Applicants' amended independent claim 1, and therefore Applicants' amended independent claim 1 is patentable and allowable over the Humpherys Patent and the Wierzbicki Patent. Dependent claims 2, 9-10, and 12 are believed to be allowable as they further define patentably distinct independent claim 1. Claims 3-8 and 11 depending from Applicant's independent claim 1 were already indicated to be allowable if rewritten into independent form and are addressed below under the heading of Allowable Subject Matter.

Applicants' amended independent claim 13 claims a method of managing power for at least one server card.

As admitted in the Office Action (regarding claims 1 and 13), the Humpherys Patent fails to disclose a server card and for substantially the same reasons presented above regarding Applicant's independent claim 1, the Wierzbicki Patent fails to cure these deficiencies of the Humpherys Patent regarding Applicants amended independent claim 13.

In particular, Applicant's claim 13 includes claim limitations of at least one server card, which is understood to those skilled in the art to be distinct from a rack server. As

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noted in Applicant's specification at page 3, lines 20-25, the server card comprises any one of brick server, blade server or other high density server module that omits components such as a cooling unit or power supply that are instead provided via a server chassis. Therefore, the least one server card in Applicant's claim 13 permits more convenient insertion and removal (in comparison to a more cumbersome rack server). In addition, the low profile size and shape of the server card enables a significantly higher computing density with a number of server cards fitting within the same space occupied by a single conventional rack server. Accordingly, the Wierzbicki Patent does not disclose at least one server card, in the manner as recited in Applicant's amended independent claim 13. Accordingly, the Wierzbicki Patent does not disclose a server card, as recited in Applicant's amended independent claim 13.

The Humpherys Patent also fails to indicate how one would employ the server 10 and remote console in the Humpherys Patent to achieve an at least one server card in the manner claimed in Applicant's claim 13. Moreover, the Wierzbicki Patent fails to disclose a suggestion or motivation to modify its bulky compute element 11 in chassis 13 to become a server card with an electronic switching mechanism, as in the manner recited in Applicant's claim 13.

Accordingly, one cannot combine the Humpherys Patent and the Wierzbicki Patent and arrive at Applicants amended independent claim 13.

For these reasons, the Humpherys Patent and the Wierzbicki Patent, alone or in combination, fail to teach or suggest Applicants' amended independent claim 13, and therefore Applicants' amended independent claim 13 is patentable and allowable over the Humpherys Patent and the Wierzbicki Patent. Dependent claims 14-18 depending from Applicant's independent claim 13 were already indicated to be allowable if rewritten into independent form and therefore are addressed below under the heading of Allowable Subject Matter.

In the Office Action, claims 9-10 were rejected as being unpatentable over the Humpherys Patent in view of the Wierzbicki Patent and Dunstan U.S. Patent Publication 2004/0103345 (the Dunstan Publication).

Claims 9 and 10 are believed to be allowable based on their dependency from patentably distinct independent claim 1, which is believed to be allowable for the reasons

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presented above. Moreover, the Dunstan Publication fails to cure these deficiencies of the Humpherys Patent and the Wierzbicki regarding Applicants amended independent claim 1. Accordingly, one cannot combine the Humpherys Patent, the Wierzbicki Patent, and the Dunstan Publication and arrive at Applicants amended dependent claim 9.

For these reasons, the Humpherys Patent, the Wierzbicki Patent, and/or the Dunstan Publication fail to teach or suggest Applicants' amended dependent claim 9, and therefore Applicants' amended dependent claim 9 is patentable and allowable over the Humpherys Patent, the Wierzbicki Patent, and the Dunstan Publication. Dependent claim 10 is believed to be allowable as it further defines patentably distinct dependent claim 9.

In light of the above, Applicants respectfully request withdrawal of the above rejections of claims 1-2, 9-10, and 12-13 under 35 U.S.C. §103 and respectfully request allowance of these claims.

Allowable Subject Matter

In the Office Action, claims 19-20 were allowed. Applicant has amended claims 19 and 20 to maintain antecedent clarity.

In the Office Action, claims 3-8, 11, and 14-18 were objected to for being dependent upon a rejected base claim, but indicated to be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Accordingly, Applicants have presented new independent claims 20-28. New independent claim 21 corresponds to claim 3 as rewritten to include the limitations of base claim 1. New independent claim 22 corresponds to claim 4 as rewritten to include the limitations of base claim 1. New independent claim 23 corresponds to claim 5 as rewritten to include the limitations of base claim 1. New independent claim 24 corresponds to claim 6 as rewritten to include the limitations of base claim 1. New independent claim 25 corresponds to claim 7 as rewritten to include the limitations of base claim 1. New claim 26 depends from claim 25 and corresponds to claim 8. New independent claim 27 corresponds to claim 11 as rewritten to include the limitations of previous base claim 1. New independent claim 28 corresponds to claim 18 as rewritten to include the limitations of previous base claim 13.

Applicant respectfully requests allowance of claims 21-28.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-28 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-28 is respectfully requested.

Applicants hereby authorize the Commissioner for Patents to charge Deposit Account No. 08-2025 the amount of \$1,800.00 to cover fees as set forth under 37 C.F.R. 1.16(h)(i).] OR

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005 or David Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854. In addition, all correspondence should continue to be directed to the following address:

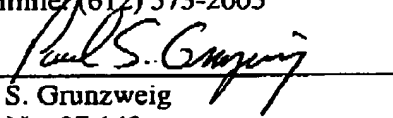
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Respectfully submitted,

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Paul S. Grunzweig
Reg. No. 37,143**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 29th day of August, 2006.

By: 

Name: Paul S. Grunzweig